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September 5, 2023

VIA ECF

Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Matos v. City of New York, Officer Gennessee Almonte
22-cv-10975 (JMF)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants City of New York and Officer Gennessee Almonte (“City Defendants”). City Defendants write to respectfully request an extension of time from September 15, 2023 to September 29, 2023 to complete mediation. In the event that Your Honor is inclined to grant this request, City Defendants also request an adjournment of the initial pretrial conference currently scheduled for September 20, 2023, as well as the filing of a Proposed Case Management Plan, until a date and time convenient to the Court after September 29, 2023. This is City Defendants’ second request for an enlargement of time to complete mediation and the first request for an adjournment of the initial conference. Plaintiff consents to both requests.

At the outset, City Defendants sincerely apologize for failing to submit a Proposed Case Management Plan in accordance with the Court’s Orders, dated January 3 and September 1, 2023. Further, for the Court’s information, there has been a delay in scheduling mediation because the assigned mediator has been largely unavailable during August, and also due to the conflicting professional obligations of the undersigned. As of today, mediation is tentatively scheduled for September 25, 2023. Accordingly, the parties need a brief extension of the mediation deadline. Moreover, in order to afford the parties the opportunity to resolve this matter before engaging in further discovery, City Defendants also request an adjournment of the initial conference until after the parties are able to attend mediation.

City Defendants thank the Court for its time and consideration of this request.

Respectfully submitted,

/s/ James M. Sheehan

James M. Sheehan

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VIA ECF

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Application GRANTED. The initial pretrial conference currently scheduled for September 20, 2023 is hereby RESCHEDULED to **October 11, 2023, at 9:00 a.m.** The parties shall submit a joint letter and a proposed Case Management Plan by October 5, 2023. The Court accepts counsel's apology - which is taken as a representation that the parties will comply with the Court's orders and deadlines going forward. The Clerk is directed to terminate ECF No. 25.

SO ORDERED.



September 6, 2023